THE HON'BLE SRI JUSTICE V.ESWARAIAH

W.P.NO.3132 OF 2006

DATED: 20.02.2006

BETWEEN:

Smt Aderla Sujatha and another

.....Petitioners

and

The Revenue Divisional Officer, Kothagudem,

and another

... Respondents

THE HON'BLE SRI JUSTICE V.ESWARAIAH

W.P.NO.3132 OF 2006

ORDER:

The writ petition is filed to declare the action of the 1st respondent in not passing the orders on application filed by the petitioner for occupancy rights for the property admeasuring about Ac.2.2½ guntas situated in survey No. 330 and 331 of Karepalli Village, Singareni Mandal, Khammam District as per the directions of the High court in W.P.No.13053 of 1990 as illegal, and consequently direct the respondent to dispose of the said application.

It is stated that the Revenue Divisional Officer, Karepali village, Khammam

District, cancelled the occupancy rights granted in favour of the B.Kondaiah, second respondent herein in respect of the lands to an extent of Ac.1.05 guntas in Survey No.330, Ac.0.20 guntas and Ac.035 guntas in Survey No.331 of Karepalli village, Singareni Mandal, Khammam District and thereafter, the said lands were assigned in favour of the petitioners by proceedings dated 16.08.1990.

Aggrieved by the proceedings, dated 31.07.1990 of the 1st respondent, the 2nd respondent filed W.P.No.13053 of 1990 and this Court by order, dated 20.01.2001, set aside the order of the first respondent in Rc.99/IA/87, dated 31.07.1990 and consequently remitted the matter to the Revenue Divisional Officer, Kothagudem, to consider and dispose of the application in accordance with law. It is stated that pursuant to the said order, though the Revenue Divisional Officer has issued notices, the matter has not been finally inquired and disposed of.

Having regard to the facts and circumstances of the case, the first respondent is directed to consider and dispose of the proceedings pending before him in respect of the occupancy rights of the lands to an extent of Ac.1.05 guntas in Survey No.330, Ac.0.20 guntas and Ac.035 guntas in Survey No.331 of Karepalli village, Singareni Mandal, Khammam District, after giving opportunity to the petitioners and to the said B.Kondaiah, petitioner in W.P.No.13053 of 1990, in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.

With the direction indicated above, the writ petition is disposed of. No costs.

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V.ESWARAIAH,J

Dated:20-02-2006

kvrm